



United States Mission to the OSCE

Turkmenistan and the Moscow Mechanism

Statement by Mr. Ronald McNamara
U.S. Delegation to the OSCE Implementation Meeting
October 10, 2003

Mr. Moderator,

This year, for the first time in ten years, OSCE participating States found a human rights situation alarming enough to invoke the Moscow Mechanism. In the wake of the November 25, 2002 events in Turkmenistan, numerous people were arrested and tortured; some have been convicted following show trials. The decision to invoke the Mechanism was not taken lightly, but was warranted by the imposition of a widespread human rights crackdown by Turkmenistan authorities.

Unfortunately, Turkmenistan did not fulfill its commitments under the Moscow Document. We regret that Turkmenistan did not appoint a rapporteur, as is required by the Moscow Document, and did not allow Rapporteur Emmanuel Decaux to visit Turkmenistan. Nevertheless, Professor Decaux was able to gather significant information and to issue a substantive and illuminating report.

Unfortunately, Turkmenistan has chosen not to address the recommendations of this report or otherwise ameliorate the situation. Instead, human rights violations continue unabated.

We continue to be gravely concerned about the egregious human rights violations taking place in Turkmenistan, particularly reports of torture and deaths in custody. During a visit to Turkmenistan last month, the United States Ambassador to the OSCE, Stephan M. Minikes, specifically asked to visit a former OSCE colleague, Batyr Berdiev, in order to disprove rumors that Mr. Berdiev has died in prison. Ambassador Minikes was denied this access, and Turkmen authorities refused to offer reassurances that Mr. Berdiev is still alive. Instead, Foreign Minister Meredov chided the United States for insulting Turkmenistan by implying that there could be anything wrong. Clearly, when Turkmenistan refuses to abide by even its most basic international commitments, something is wrong.

We are also profoundly troubled by many of Turkmenistan's new policies, often put in place solely through the decree of President Niyazov. For example, the "Betrayers of the Motherland" decree permits sentences of up to life in prison for a broad range of vaguely defined offenses – in effect, punishing people for acting on the very human rights that Principle VII of the Helsinki Final Act obligates Turkmenistan to respect. Numerous other developments mark the opening of a grim chapter of Turkmenistan's post-Soviet history: the re-introduction of an exit-visa regime; new, onerous registration requirements for religious groups; reports that ethnic minorities are being forcibly resettled against their will; and the radical restructuring the education system to exclude those disfavored because of their real or perceived political loyalties or their ethnicity.

Recalling that President Niyazov personally signed the Helsinki Final Act on July 8, 1992, we urge Ashgabat to implement fully Turkmenistan's OSCE commitments. On an urgent basis, Turkmenistan should allow access by family members, lawyers, and the International Committee of the Red Cross to all prisoners, regardless of the charges on which they are held. We again ask for information on and access to our former OSCE colleague, Batyr Berdiev, as well as others who were arrested in connection with the events of November 25.

It is also critical that the OSCE community remain focused on the concerns raised in the Moscow Mechanism report issued by Professor Decaux. The current state of affairs in Turkmenistan is not business as usual, and should not be treated as such. Indeed, sustained OSCE engagement on these matters is necessary to counter Turkmenistan's increasing self-isolation. We welcome the U.N. Human Rights Commission's resolution on Turkmenistan adopted in April and commend the Chairman-in-Office for his recent meeting with Turkmenistan Foreign Minister Meredov in New York on the margins of the U.N. General Assembly. We urge ODIHR to step up efforts to engage Turkmen authorities in working to implement recommendations contained in the Moscow Mechanism Rapporteur's report, and believe a visit by ODIHR Director Strohal to Turkmenistan could be a useful catalyst to move forward. Finally, we urge OSCE delegations to meet with Turkmenistan NGOs here and in other capitals where that opportunity may arise.